

FEDERAL REGISTER

THE NATIONAL ARCHIVES
OF THE UNITED STATES
1934

VOLUME 4 NUMBER 55

Washington, Wednesday, March 22, 1939

Rules, Regulations, Orders

TITLE 16—COMMERCIAL PRACTICES

FEDERAL TRADE COMMISSION

[Docket No. 2908]

IN THE MATTER OF NATIONAL PUBLICITY BUREAU, INC., ETC., ET AL.

SEC. 3.69 (a) (3a) *Misrepresenting oneself and goods—Business status, advantages or connections—Connections and arrangements with other business:* SEC. 3.69 (c10) *Misrepresenting oneself and goods—Promotional sales plans:* SEC. 3.96 (b) (1.0a) *Using misleading name—Vendor—Connections and arrangements with other business:* SEC. 3.96 (b) (2) *Using misleading name—Vendor—Identity.* Representing, in connection with offer, etc., in commerce, of silverware or sales promotional plans including premium certificates, gift cards or coupons redeemable in silverware or other articles of merchandise, by use of words "Rogers Silverware" in a corporate or trade name, or by statements or representations in advertising or in any other way that the respondent has an interest in, forms a part of, or has any connection with the manufacturer of William A. Rogers Silverware, prohibited, subject to provision that such order shall not be construed to in any way prohibit respondent from dealing in William A. Rogers Silverware or other products. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, National Publicity Bureau, Inc., etc., et al., Docket 2908, March 1, 1939]

SEC. 3.69 (b) (16a) *Misrepresenting oneself and goods—Goods—Terms and conditions:* SEC. 3.69 (c10) *Misrepresenting oneself and goods—Promotional sales plans:* SEC. 3.72 (n1) *Offering deceptive inducements to purchase—Terms and conditions.* Representing, in connection with offer, etc., in commerce, of silverware or sales promotional plans including premium certificates, gift or coupons redeemable in silverware or other articles of merchandise, that premium certifi-

cates, gift cards or other similar devices can be redeemed in silverware or other merchandise unless and until all the terms and conditions of such offer are clearly and unequivocally stated in equal conspicuousness and in immediate connection or conjunction with such offer and there is no deception as to the services or other actions to be performed or the price to be paid in connection with obtaining such silverware or other articles of merchandise, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, National Publicity Bureau, Inc., etc., et al., Docket 2908, March 1, 1939]

SEC. 3.69 (b) (4) *Misrepresenting oneself and goods—Goods—Free goods:* SEC. 3.69 (b) (15) *Misrepresenting oneself and goods—Goods—Refunds:* SEC. 3.69 (b) (16a) *Misrepresenting oneself and goods—Goods—Terms and conditions:* SEC. 3.69 (c10) *Misrepresenting oneself and goods—Promotional sales plans:* SEC. 3.72 (e) *Offering deceptive inducements to purchase—Free goods:* SEC. 3.72 (n1) *Offering deceptive inducements to purchase—Terms and conditions.* Representing in connection with offer, etc., in commerce, of silverware, or sales promotional plans including premium certificates, gift cards or coupons redeemable in silverware, or other articles of merchandise, that the respondent will give a set of silverware or other merchandise free or will refund the sum of \$4.50 or any other sum to the purchaser of said premium certificates, gift cards, coupons or other and similar devices on the redemption of a specified number of cards, etc., unless such refund is actually made or such merchandise is given free, and unless, if there are any conditions connected with such refund or gift of silverware, such conditions are clearly and unequivocally stated in equal conspicuousness and in immediate connection or conjunction with such offer of free merchandise or refund in such a manner that there is no deception as to the terms of such conditions, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec.

CONTENTS

RULES, REGULATIONS, ORDERS

TITLE 16—COMMERCIAL PRACTICES:

Federal Trade Commission:

Cease and desist orders:	Page
✓ Conrad, Cyril J.....	1284
✓ Educators Association, Inc., et al.....	1282
✓ National Publicity Bureau, Inc., et al.....	1281
✓ Star Tobacco Co., etc.....	1283
✓ Wonder Wood-Tex Co.....	1284

TITLE 23—HIGHWAYS:

Bureau of Public Roads:

✓ Federal Highway Act Regulations amended.....	1285
--	------

TITLE 30—MINERAL RESOURCES:

National Bituminous Coal Commission:

Coordination of:	
✓ Marketing rules and regulations.....	1286
✓ Minimum prices.....	1286
✓ Price classification proposals, etc.....	1287

TITLE 36—PARKS AND FORESTS:

National Park Service:

✓ Swift Creek Recreational Demonstration Area, subsidiary regulations.....	1287
--	------

TITLE 42—PUBLIC HEALTH AND EDUCATION:

Public Health Service:

✓ Bacteriological examination of importations of shaving brushes.....	1287
---	------

TITLE 49—TRANSPORTATION AND RAILROADS:

Interstate Commerce Commission:

✓ A. Johnson, et al. v. Atchison, Topeka & Santa Fe Railway Co., et al.....	1288
---	------

NOTICES

Department of the Interior:

National Bituminous Coal Commission:

✓ Coordination of minimum prices, etc., action by district boards.....	1288
(Continued on next page)	



Published by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. L. 500), under regulations prescribed by the Administrative Committee, with the approval of the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the **FEDERAL REGISTER** will be furnished by mail to subscribers, free of postage, for \$1 per month or \$10 per year; single copies 10 cents each; payable in advance. Remit by money order payable to Superintendent of Documents, Government Printing Office, Washington, D. C.

Correspondence concerning the publication of the **FEDERAL REGISTER** should be addressed to the Director, Division of the Federal Register, The National Archives, Washington, D. C.

CONTENTS—Continued

Securities and Exchange Commission:	
Notice of and orders for hearings:	Page
✓ Newport Electric Corp., and Charles True Adams, Trustee	1289
✓ Proctor, Redfield, C. Brooks Stevens, and Henry G. Wells, Trustees	1289
✓ United Cities Utilities Co.	1289

45b) [Cease and desist order, National Publicity Bureau, Inc., etc., et al., Docket 2908, March 1, 1939]

Sec. 3.69 (a) (3a) *Misrepresenting oneself and goods—Business status, advantages or connections—Connections and arrangements with other business:* Sec. 3.69 (c10) *Misrepresenting oneself and goods—Promotional sales plans.* Representing, in connection with offer, etc., in commerce, of silverware or sales promotional plans including premium certificates, gift cards or coupons redeemable in silverware or other articles of merchandise, that the respondent is conducting any special campaign or advertising campaign to introduce or advertise any article or articles of merchandise on behalf of the manufacturer of William A. Rogers Silverware or any other manufacturer or concern unless such a campaign is in fact being conducted at the instance of and on behalf of such manufacturer, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45 (b) [Cease and desist order, National Publicity Bureau, Inc., etc., et al., Docket 2908, March 1, 1939]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C. on the 1st day of March, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

In the Matter of NATIONAL PUBLICITY BUREAU, INC., A CORPORATION, TRADING IN ITS OWN NAME AND AS NATIONAL PUBLICITY BUREAU AND ROGERS SILVERWARE DISTRIBUTORS; AND HUGH J. WANKE, INDIVIDUALLY, AND AS PRESIDENT OF NATIONAL PUBLICITY BUREAU, INC., TRADING AS ROGERS SILVERWARE DISTRIBUTORS

ORDER TO CEASE AND DESIST

This proceeding having been heard¹ by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, testimony and other evidence taken before John W. Addison, an examiner of the Commission duly designated by it, in support of the allegations of said complaint and in opposition thereto, brief filed herein by counsel for the Commission, and the Commission having made its findings as to the facts and conclusion that said respondent Hugh J. Wanke, individually and trading as National Publicity Bureau and Rogers Silverware Distributors, has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Hugh J. Wanke, individually and trading as National Publicity Bureau and Rogers Silverware Distributors, or under any other name or names, and his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution in commerce as commerce is defined by the Federal Trade Commission Act, of silverware or sales promotional plans including premium certificates, gift cards or coupons redeemable in silverware or other articles of merchandise, do forthwith cease and desist from:

(1) Representing, by use of the words "Rogers Silverware" in a corporate or trade name, or by statements or representations in advertising or in any other way, that the respondent has an interest in, forms a part of, or has any connection with the manufacturer of William A. Rogers Silverware; provided however, that this order shall not be construed to in any way prohibit the respondent from dealing in William A. Rogers Silverware or other products.

(2) Representing that premium certificates, gift cards or other similar devices can be redeemed in silverware or other merchandise unless and until all the terms and conditions of such offer

are clearly and unequivocally stated in equal conspicuousness and in immediate connection or conjunction with such offer and there is no deception as to the services or other actions to be performed or the price to be paid in connection with obtaining such silverware or other articles of merchandise.

(3) Representing that the respondent will give a set of silverware or other merchandise free or will refund the sum of \$4.50 or any other sum to the purchaser of said premium certificates, gift cards, coupons or other and similar devices on the redemption of a specified number of cards, certificates or coupons unless such refund is actually made or such merchandise is given free, and if there are any conditions connected with such refund or gift of silverware, such conditions must be clearly and unequivocally stated in equal conspicuousness and in immediate connection or conjunction with such offer of free merchandise or refund in such a manner that there is no deception as to the terms of such conditions.

(4) Representing that the respondent is conducting any special campaign or advertising campaign to introduce or advertise any article or articles of merchandise on behalf of the manufacturer of William A. Rogers Silverware or any other manufacturer or concern unless such a campaign is in fact being conducted at the instance of and on behalf of such manufacturer.

It is further ordered, That the respondent shall, within sixty days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 39-933; Filed, March 21, 1939; 10:28 a. m.]

[Docket No. 3139]

IN THE MATTER OF EDUCATORS ASSOCIATION, INC., ET AL.

Sec. 3.96 (b) (2a) *Using misleading name—Vendor—Individual or corporate business as association:* Sec. 3.96 (b) (3) *Using misleading name—Vendor—Individual or private business being educational institution:* Sec. 3.96 (b) (4) *Using misleading name—Vendor—Non-profit character.* Representing, in connection with offer, etc., in commerce, of The Volume Library, a students' reference book, through use of term "Educators Association" in any corporate or trade name or through any other means or device, that respondents, or any of them, constitute a group of educators or teachers formed into an association, or that the business operated by them, or any of them, is anything other than a private business enterprise for profit,

¹ 2 F. R. 746 (881 DI).

prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Educators Association, Inc., et al., Docket 3139, March 9, 1939]

SEC. 3.6 (w) *Advertising falsely or misleadingly—Refunds:* SEC. 3.6 (ee) *Advertising falsely or misleadingly—Terms and conditions:* SEC. 3.72 (k3) *Offering deceptive inducements to purchase—Returns and reimbursements:* SEC. 3.72 (n1) *Offering deceptive inducements to purchase—Terms and conditions:* SEC. 3.80 (t) *Securing agents or representatives falsely or misleadingly—Terms and conditions.* Representing, in connection with offer, etc., in commerce, of The Volume Library, a students' reference book, to prospective representatives that respondents will refund deposits or pay any specific sums of money or salaries to such representatives, until and unless they fully and adequately disclose all of the terms and conditions upon which refunds or payments are actually made, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Educators Association, Inc., et al., Docket 3139, March 9, 1939]

SEC. 3.69 (a) (3a) *Misrepresenting oneself and goods—Business status, advantages or connections—Connections and arrangements with other business:* SEC. 3.69 (b) (16a) *Misrepresenting oneself and goods—Goods—Success, use or standing.* Representing, etc., in connection with offer, etc., in commerce, of The Volume Library, a students' reference book, that respondents or their representatives, etc., are connected in any manner with public schools or other educational institutions, or that said Volume Library, or any other and similar publication, is prescribed as a text book or required to be used in connection with school work, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Educators Association, Inc., et al., Docket 3139, March 9, 1939]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of March, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

IN THE MATTER OF EDUCATORS ASSOCIATION, INC., A CORPORATION, AND LEO L. TULLY, ORON E. RICHARDS, DONALD W. HENRY, INDIVIDUALLY AND AS PRESIDENT, VICE-PRESIDENT, AND SECOND VICE-PRESIDENT OF EDUCATORS ASSOCIATION, INC., AND MISS LOUISE SIMS, MISS MARIAN A. MILLER, MISS C. L. MACDONALD, MRS. B. M. GAMBERT, MRS. MARIE C. HOSTLER, MRS. V. B. DECKER, MR. J. E. STRONKS,

MR. H. LYLE GOLDSBERRY, MR. J. R. HOSTLER, MR. J. P. TULLY, MRS. M. W. LEES, MISS SARAH E. ATKINSON, MRS. BESSIE MORRELL, EACH INDIVIDUALLY TRADING UNDER THE TRADE NAME AND STYLE OF EDUCATORS ASSOCIATION

ORDER TO CEASE AND DESIST

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, testimony and other evidence taken before John W. Addison, an examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, briefs filed herein, and oral arguments by William L. Pencke, counsel for the Commission, and by E. Crosby Kindelberger, counsel for the respondents, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Educators Association, Inc., its officers, representatives, agents and employees, and the respondents, Leo L. Tully, Oron E. Richards and Donald W. Henry, individually and as officers of Educators Association, Inc., Miss Marion A. Miller, Mrs. B. M. Gambert, Mrs. Marie C. Hostler, Mr. J. E. Stronks, Mr. H. Lyle Goldsberry, Mr. J. R. Hostler, Mr. J. P. Tully, Mrs. M. W. Lees, each individually, and trading under the trade name and style of Educators Association, their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of a students' reference book entitled, The Volume Library, in commerce as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist:

(1) From representing through the use of the term "Educators Association" in any corporate or trade name or through any other means or device, that they, or any of them, constitute a group of educators or teachers formed into an association or that the business operated by them, or any of them, is anything other than a private business enterprise for profit.

(2) Representing to prospective representatives that they will refund deposits or pay any specific sums of money or salaries to such representatives until and unless they fully and adequately disclose all of the terms and conditions upon which refunds or payments are actually made.

(3) From representing or implying that they or their representatives, agents or canvassers are connected in any manner with public schools or other educational institutions, or that said Volume Library, or any other and similar publication is prescribed as a text

book or required to be used in connection with school work.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 39-931; Filed, March 20, 1939; 2:26 p. m.]

[Docket No. 3412]

IN THE MATTER OF STAR TOBACCO COMPANY, ETC.

SEC. 3.24 (e) *Coercing and intimidating—Suppliers of competitors:* SEC. 3.27 (b) (1) *Combining or conspiring—To eliminate competition—In conspirators' goods:* SEC. 3.27 (h) *Combining or conspiring—To restrain and monopolize trade:* SEC. 3.33 (e) *Cutting off competitors' supplies—Threatening withdrawal of patronage.* Entering into and carrying out any understanding, agreement, etc., on the part of respondent companies and concerns (constituting large and important part of jobbers, distributors and wholesalers of tobacco and confectionery products in Wilkes-Barre trade area), and on the part of respondent individuals, officers and employees thereof, etc., among themselves or with others, with intent or effect of restricting, restraining, or monopolizing, or eliminating competition in purchase and sale, in interstate commerce or in District of Columbia, of tobacco and confectionery products, and, as a part of such understanding, agreement, etc., (1) fixing or establishing uniform prices at which respondents should sell tobacco and confectionery products; or (2) using boycott, threats of boycott, either with or without other coercive methods, to persuade, induce or compel manufacturers and dealers to refrain from selling confectionery products to competing dealers; or (3) employing other cooperative or coercive acts and methods in promoting and carrying out the aforesaid programs and policies, or similar programs and policies; prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Star Tobacco Company, etc., Docket 3412, March 8, 1939]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of March, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles

H. March, Ewin L. Davis, William A. Ayres.

IN THE MATTER OF STAR TOBACCO COMPANY; SPERLING TOBACCO COMPANY; KEY STORES, INC.; FRANK KLEIN, AN INDIVIDUAL TRADING UNDER THE FIRM NAME AND STYLE OF KLEIN CANDY COMPANY; MEYER H. ABELSON, AN INDIVIDUAL, TRADING UNDER THE FIRM NAME AND STYLE OF WILKES-BARRE CIGAR & TOBACCO COMPANY; EDWARD A. SROUD, SR.; WILLIAM SMULYAN; HASKELL GINSBURGH; AND ROBERT JAFFEE

ORDER TO CEASE AND DESIST

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, and the answer of respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint, and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Star Tobacco Company, Sperling Tobacco Company, Key Stores, Inc., Frank Klein, an individual trading under the firm name and style of Klein Candy Company; Meyer H. Abelson, an individual, trading under the firm name and style of Wilkes-Barre Cigar & Tobacco Company; Edward A. Stroud, Sr., William Smulyan, Haskell Ginsburgh, and Robert Jaffee, their officers, representatives, agents and employees, do forthwith cease and desist from entering into and carrying out any understanding, agreement, combination and conspiracy among themselves or with others for the purpose or with the effect of restricting, restraining or monopolizing, or eliminating competition in the purchase and sale in interstate commerce or in the District of Columbia of tobacco and confectionery products, and as a part of such understanding, agreement, combination or conspiracy from doing any of the following acts and things:

1. Fixing or establishing uniform prices at which respondents should sell tobacco, and confectionery products.

2. Using boycott, threats of boycott, either with or without other coercive methods, to persuade, induce or compel manufacturers and dealers to refrain from selling confectionery products to competing dealers.

3. Employing other cooperative or coercive acts and methods in promoting and carrying out the aforesaid programs and policies, or similar programs and policies.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and

form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 39-934; Filed, March 21, 1939; 10:28 a. m.]

[Docket No. 3590]

IN THE MATTER OF CYRIL J. CONRAD

SEC. 3.99 (b) *Using or selling lottery devices—In merchandising.* Supplying, etc., in connection with offer, etc., in commerce, of hosiery, watches, or any other merchandise, others with push or pull cards, punch boards, or other lottery devices to enable persons supplied to dispose of or sell any merchandise by use thereof, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Cyril J. Conrad, Docket 3590, March 8, 1939]

SEC. 3.99 (b) *Using or selling lottery devices—In merchandising.* Mailing, etc., in connection with offer, etc., in commerce, of hosiery, watches, or any other merchandise, to respondent's agents or to distributors or members of the public push or pull cards, punch boards, or other lottery devices so prepared or printed as to enable said persons to sell or distribute any merchandise by use thereof, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Cyril J. Conrad, Docket 3590, March 8, 1939]

SEC. 3.99 (b) *Using or selling lottery devices—In merchandising.* Selling, etc., in connection with offer, etc., in commerce, of hosiery, watches, or any other merchandise, any merchandise by use of push or pull cards or punch boards, or other lottery devices, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Cyril J. Conrad, Docket 3590, March 8, 1939]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of March, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

ORDER TO CEASE AND DESIST

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that he waives all intervening procedure and further hearing as to said facts, and the Com-

mission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Cyril J. Conrad, his representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of hosiery, watches, or any other merchandise in commerce as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Supplying to, or placing in the hands of, others push or pull cards, punch boards, or other lottery devices for the purpose of enabling such persons to dispose of or sell any merchandise by the use thereof;

2. Mailing, shipping, or transporting to agents or to distributors or members of the public push or pull cards, punch boards, or other lottery devices so prepared or printed as to enable said persons to sell or distribute any merchandise by the use thereof;

3. Selling or otherwise disposing of any merchandise by the use of push or pull cards or punch boards, or other lottery devices.

It is further ordered, That the respondent shall, within sixty days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 39-935; Filed, March 21, 1939; 10:29 a. m.]

[Docket No. 3675]

IN THE MATTER OF WONDER WOOD-TEX COMPANY

SEC. 3.6 (a) (10.1) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—History:* SEC. 3.6 (a) (22) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer—Manufacturer.* Representing, in connection with offer, etc., in commerce, of wood pulp articles or other merchandise, that either respondent or his father is engaged in the manufacture or carving of wood pulp articles, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Wonder Wood-Tex Company, Docket 3675, March 8, 1939]

SEC. 3.6 (a) (19) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Organization and operation.* Representing, in connection with offer, etc., in commerce, of wood pulp articles or

other merchandise, that respondent conducts a gift show at Chicago or elsewhere, unless and until the respondent does actually conduct such gift show at such place or places, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Wonder Wood-Tex Company, Docket 3675, March 8, 1939]

SEC. 3.6 (f) *Advertising falsely or misleadingly—Demand or business opportunities.* Representing, in connection with offer, etc., in commerce, of wood pulp articles or other merchandise, that the price charged the customer by respondent is or will be such an amount that will permit the customer to resell each of the different articles in the list purchased, at a competitive retail price and a reasonable profit, when the price charged by respondent will not permit a resale for such a profit, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Wonder Wood-Tex Company, Docket 3675, March 8, 1939]

SEC. 3.6 (u) *Advertising falsely or misleadingly—Quality:* SEC. 3.6 (v) (2) *Advertising falsely or misleadingly—Quantity offered:* SEC. 3.6 (y.1) *Advertising falsely or misleadingly—Sample or order conformance:* SEC. 3.72 (ma) *Offering deceptive inducements to purchase—Sample conformance.* Falsely representing, in connection with offer, etc., in commerce, of wood pulp articles or other merchandise, that respondent's products are similar in quality and quantity to samples displayed by respondent, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Wonder Wood-Tex Company, Docket 3675, March 8, 1939]

SEC. 3.6 (1) *Advertising falsely or misleadingly—Indorsements and testimonials.* Falsely representing, in connection with offer, etc., in commerce, of wood pulp articles or other merchandise, that respondent has been referred to prospective purchasers by satisfied customers, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Wonder Wood-Tex Company, Docket 3675, March 8, 1939]

SEC. 3.6 (ee) *Advertising falsely or misleadingly—Terms and conditions:* SEC. 3.72 (nl) *Offering deceptive inducements to purchase—Terms and conditions.* Representing, in connection with offer, etc., in commerce, of wood pulp articles or other merchandise, that respondent will exchange merchandise more readily salable for other merchandise purchased from respondent, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Wonder Wood-Tex Company, Docket 3675, March 8, 1939]

SEC. 3.6 (f) *Advertising falsely or misleadingly—Demand or business oppor-*

tunities. Representing, in connection with offer, etc., in commerce, of wood pulp articles or other merchandise, that purchasers of respondent's merchandise receive an exclusive territory for the resale of such merchandise, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Wonder Wood-Tex Company, Docket 3675, March 8, 1939]

SEC. 3.6 (ee) *Advertising falsely or misleadingly—Terms and conditions:* SEC. 3.72 (nl) *Offering deceptive inducements to purchase—Terms and conditions.* Representing, in connection with offer, etc., in commerce, of wood pulp articles or other merchandise, that the times for payment of accounts due respondent by purchasers are extended in accordance with the date of resale of such merchandise, or that promissory notes taken from purchasers will be extended beyond their due date, or will be otherwise modified, unless such promise of extension or modification is written in the face of the note, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Wonder Wood-Tex Company, Docket 3675, March 8, 1939]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of March, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

IN THE MATTER OF W. M. JACOBSON, AN INDIVIDUAL, DOING BUSINESS UNDER THE TRADE NAME OF WONDER WOOD-TEX COMPANY

ORDER TO CEASE AND DESIST

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint, and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, W. M. Jacobson, an individual, doing business under the trade name of Wonder Wood-Tex Company, or under any other name or names, his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of wood pulp articles or other merchandise in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith

cease and desist from representing, directly or indirectly;

1. That either the respondent or his father is engaged in the manufacture or carving of wood pulp articles;

2. That the respondent conducts a gift show at Chicago or elsewhere, unless and until the respondent does actually conduct such gift show at such place or places;

3. From representing that the price charged the customer by respondent is or will be such an amount that will permit the customer to resell each of the different articles in the list purchased, at a competitive retail price and a reasonable profit, when the price charged by respondent will not permit a resale for such a profit;

4. That respondent's products are similar in quality and quantity to samples displayed by respondent, unless and until such is the fact, or that respondent has been referred to prospective purchasers by satisfied customers, unless and until such is the fact;

5. That respondent will exchange merchandise more readily salable for other merchandise purchased from respondent;

6. That purchasers of respondent's merchandise receive an exclusive territory for the resale of such merchandise;

7. That the times for payment of accounts due respondent by purchasers are extended in accordance with the date of resale of such merchandise, unless and until such is the fact;

8. That promissory notes taken from purchasers will be extended beyond their due date, or will be otherwise modified, unless such promise of extension or modification is written in the face of the note.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order. By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 39-936; Filed, March 21, 1939; 10:29 a. m.]

TITLE 23—HIGHWAYS

BUREAU OF PUBLIC ROADS

AMENDMENT NO. 6 TO RULES AND REGULATIONS FOR ADMINISTERING FOREST ROADS AND TRAILS UNDER PROVISIONS OF FEDERAL HIGHWAY ACT

Pursuant to authority conferred upon the Secretary of Agriculture by Section 18 of the Federal Highway Act of November 9, 1921 (42 Stat. 216), and amendatory and supplementary acts, Regulation 8 of the Rules and Regulations promulgated by the Secretary of Agriculture March 11, 1922, as amended (23 CFR 15.8), for carrying out the provisions of Section 23 of said Federal

Highway Act, is hereby amended to read as follows:

SEC. 15.8 [Sec. 1] *Wages and employment of labor.* (a) If a local employment service is maintained by the Federal Government, or by the Federal Government in cooperation with the State, in the vicinity of any forest highway work undertaken, the contract shall require that unskilled labor to be employed in such work shall be selected from qualified workers referred by such agency.

(b) [Sec. 2 (a)] All contracts for the construction of forest highways shall prescribe the minimum rates of wages predetermined by the proper Government officers to be paid by contractors to the different classes of labor employed on the project, and such minimum rates shall be stated in the advertised specifications and in proposals or bids which may be submitted. The wage rates so determined shall be a minimum rate for unskilled labor, a minimum rate for labor of intermediate grade, and a minimum rate for skilled labor, or minimum rates which shall apply to the different kinds of labor in each classification to be employed on the project.

(c) [Sec. 2 (b)] All contracts for the construction of forest highway projects shall require that the wages of labor shall be paid in legal tender of the United States. This condition will be considered satisfied if payment is made by a negotiable check, on a solvent bank, which may be readily cashed by the employee in the immediate community without delay or collection charges of any kind.

(d) [Sec. 3] The specifications for each forest highway project shall contain special provisions for carrying into effect the stipulations required by sections 1 and 2 of this regulation.

Done at the City of Washington this 18th day of March, 1939, as witness my hand and the seal of the Department of Agriculture.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 39-932; Filed, March 20, 1939;
3:41 p. m.]

TITLE 30—MINERAL RESOURCES

NATIONAL BITUMINOUS COAL COMMISSION

[Order No. 267]

AN ORDER PROVIDING FOR THE COORDINATION OF MINIMUM PRICES BY THE COMMISSION, IN LIEU OF THE DISTRICT BOARDS

The Commission having directed the District Boards to coordinate, under rules and regulations established by the Commission, in common consuming market areas, upon a fair competitive

basis, the minimum prices heretofore approved by the Commission to serve as a basis for coordination, and

The time fixed by the Commission for the completion of such coordination by the representatives of the several District Boards having expired on the 15th day of March, 1939, and

The said representatives of each of District Boards Nos. 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 15, 17, 19 and 22 having reported to the Commission their inability and failure to coordinate in all common consuming market areas upon a fair competitive basis the minimum prices heretofore approved by the Commission to serve as a basis for coordination, as required by Section 4, II (b) of the Act and as directed by orders of the Commission,

Now, therefore, Pursuant to the provisions of the Bituminous Coal Act of 1937 and Section 6 (a) thereof, the National Bituminous Coal Commission hereby declares:

That District Boards Nos. 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 15, 17, 19 and 22 have failed to coordinate in all common consuming market areas upon a fair competitive basis the minimum prices heretofore approved by the Commission to serve as a basis for coordination, as required by Section 4, II (b) of the Act and as directed by orders of the Commission.

That the Commission, pursuant to Section 6 (a) of the Act, will now proceed, in lieu of said District Boards, to coordinate in common consuming market areas the minimum prices heretofore approved by the Commission as the basis for coordination, in conformity with the provisions of Section 4 of the Act.

That the Secretary of the Commission be directed to cause a copy of this Order to be published forthwith in the FEDERAL REGISTER, and to cause a copy hereof to be mailed to each code member within the named districts, to the Consumers' Counsel, and to the Secretary of each District Board; and shall cause copies hereof to be made available for inspection by interested parties in each of the Statistical Bureaus of the Commission.

By order of the Commission.

Dated this 20th day of March, 1939.

[SEAL] F. WITCHER McCULLOUGH,
Secretary.

[F. R. Doc. 39-942; Filed, March 21, 1939;
12:34 p. m.]

[Order No. 268]

AN ORDER PROVIDING FOR THE COORDINATION OF MARKETING RULES AND REGULATIONS BY THE COMMISSION, IN LIEU OF THE DISTRICT BOARDS

The Commission having directed the District Boards to coordinate, under

rules and regulations established by the Commission, the rules and regulations incidental to the sale and distribution of coal by code members, heretofore approved by the Commission to serve as a basis for coordination, and

The time fixed by the Commission for the completion of such coordination by the representatives of the several District Boards having expired on the 15th day of March, 1939, and

The said representatives of each of District Boards Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 17, 19 and 22 having reported to the Commission their inability and failure to coordinate in all common consuming market areas the rules and regulations incidental to the sale and distribution of coal by code members, heretofore approved by the Commission to serve as a basis for coordination, as required by Section 4-II (b) of the Act and as directed by orders of the Commission,

Now, therefore, Pursuant to the provisions of the Bituminous Coal Act of 1937 and Section 6 (a) thereof, the National Bituminous Coal Commission hereby declares:

That District Boards Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 17, 19 and 22 have failed to coordinate in all common consuming market areas the rules and regulations incidental to the sale and distribution of coal by code members, heretofore approved by the Commission to serve as a basis for coordination, as required by Section 4-II (b) of the Act and as directed by orders of the Commission.

That the Commission, pursuant to Section 6 (a) of the Act will now proceed, in lieu of said District Boards, to coordinate in all common consuming market areas the rules and regulations incidental to the sale and distribution of coal by code members heretofore approved by the Commission as the basis for coordination, in conformity with the provisions of Section 4 of the Act.

That the Secretary of the Commission be directed to cause a copy of this Order to be published forthwith in the FEDERAL REGISTER, and to cause a copy hereof to be mailed to each Code member within the named districts, to the Consumers' Counsel, and to the Secretary of each District Board; and shall cause copies hereof to be made available for inspection by interested parties in each of the Statistical Bureaus of the Commission.

By order of the Commission.

Dated this 20th day of March, 1939.

[SEAL] F. WITCHER McCULLOUGH,
Secretary.

[F. R. Doc. 39-943; Filed, March 21, 1939;
12:34 p. m.]

[Order No. 270]

AN ORDER DIRECTING THE SEVERAL DISTRICT BOARDS TO PROPOSE THE PRICE CLASSIFICATION OF EACH KIND, QUALITY AND SIZE OF COAL PRODUCED WITHIN THE RESPECTIVE DISTRICTS BY CODE MEMBERS WHOSE COALS HAVE NOT HERETOFORE BEEN CLASSIFIED; AND TO SUBMIT SUCH PROPOSED CLASSIFICATIONS, TOGETHER WITH THE DATA UPON WHICH THEY ARE PREDICATED, TO THE COMMISSION, AND TO CAUSE A SCHEDULE OF SUCH CLASSIFICATIONS TO BE MAILED TO EACH CODE MEMBER WITHIN THE RESPECTIVE DISTRICTS

Pursuant to Act of Congress entitled "An Act to regulate interstate commerce in bituminous coal, and for other purposes" (Public, No. 48, 75th Cong., 1st Sess.), known as the Bituminous Coal Act of 1937, the National Bituminous Coal Commission hereby orders and directs:

1. That each District Board shall forthwith proceed to consider and shall propose the price classification of each kind, quality and size of coal produced by each code member within the respective districts for which no classification has heretofore been proposed by the District Board.

2. That such price classifications shall be expressed in the terms of the symbols and minimum prices as contained in the schedules for the respective districts approved by the Commission to serve as a basis for coordination, and shall conform to the standards prescribed by Section 4-II (a) of the Act and to the Orders of the Commission heretofore issued, directing the respective District Boards to propose minimum prices for the kinds, qualities and sizes of coal produced in the District.

3. That when the District Boards have completed the said work of classifying the coals of such code members they shall forthwith, and not later than the 3rd day of April, 1939, cause a schedule of same to be mailed to each code member within the District and five copies thereof with each other District Board and shall file 25 copies thereof with the Commission, together with the data upon which they are predicated.

4. That each schedule shall contain the following note:

"The proposed classifications and minimum prices contained herein are for the coals of code members whose coals have not been heretofore classified. If any code member be dissatisfied with any classification herein proposed, he may file, on or before the 10th day of April, 1939, with the National Bituminous Coal Commission, at its Offices in Washington, D. C., and with the District Board, a written protest to any such classification, setting forth therein the reasons for such protest, together with any data which he may have in support thereof. At the final hearing before the Commission in the matter of the establishment

of minimum prices, the Commission will receive evidence relating to these classifications and to the coordinated prices to be hereafter proposed therefor."

5. That, in those cases where any District Board has heretofore, by supplemental schedule, proposed classifications for the coals of code members not included in the schedules of proposed minimum prices upon which hearings were conducted by the Commission, and has submitted such supplemental schedule to the Commission and to the code members within the District, any code member dissatisfied with any such proposed classification may file a written protest thereto within the time and in the manner prescribed in the note provided for by the next preceding section of this Order.

6. That the Secretary of the Commission is hereby directed to cause a copy of this Order to be published forthwith in the FEDERAL REGISTER, and shall cause a copy hereof to be mailed to each code member, to the Consumers' Counsel, and to the Secretary of each District Board, and shall cause copies hereof to be made available for inspection by interested parties in each of the Statistical Bureaus of the Commission.

By order of the Commission.

Dated this 20th day of March, 1939.

[SEAL] F. WITCHER McCULLOUGH,
Secretary.

[F. R. Doc. 39-945; Filed, March 21, 1939;
12:35 p. m.]

TITLE 36—PARKS AND FORESTS

NATIONAL PARK SERVICE

SWIFT CREEK RECREATIONAL DEMONSTRATION AREA

SUBSIDIARY REGULATIONS

The following subsidiary regulations, issued under the authority of the Rules and Regulations approved by the Secretary of the Interior April 19, 1937 (2 F. R. 754), have been recommended by the project manager and approved by the Director of the National Park Service, and are in force and effect within the boundaries of Swift Creek Recreational Demonstration Area:

SEC. 20.30 (a) *Fishing*. (1) Fishing is permitted only in Swift Creek Lake. All other waters are closed to fishing.

(2) Persons desiring to fish must register with the project manager or his representative, giving all required information.

(3) The area as such makes no charge for a fishing license, but persons fishing for or catching game fish therein must have a State or County fishing license required by the State of Virginia.

(4) Fishing with nets, seines, traps, or by the use of drugs or explosives, or for merchandise or profit, or in any other way than with hook and line, the

rod or line being held in the hand, is prohibited.

(5) The limit of catch shall be as follows: Bass, 5 fish per person per day, and 75 fish per person per year; crappie, bream, catfish, and non-game species, 15 fish per person per day of any or all such species.

(b) *Speed*. Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, is limited to 25 miles per hour on all area roads.

(c) *Repeal*. All previous subsidiary regulations for Swift Creek Recreational Demonstration Area are hereby repealed. Approved March 14, 1939.

[SEAL] ARNO B. CAMMERER,
Director.

[F. R. Doc. 39-937; Filed, March 21, 1939;
10:29 a. m.]

TITLE 42—PUBLIC HEALTH AND EDUCATION

PUBLIC HEALTH SERVICE

BACTERIOLOGICAL EXAMINATION OF IMPORTATIONS OF SHAVING BRUSHES

AMENDMENT NO. 18 TO QUARANTINE REGULATIONS OF UNITED STATES

Pursuant to the authority contained in section 3 of the Act of February 15, 1893, 27 Stat. 450 (U. S. C. title 42, sec. 92, paragraph 128 of the quarantine regulations of the United States (42 CFR 1.119) is hereby amended to read as follows:

SEC. 1.119 *Special measures against anthrax; importation of shaving or lather brushes; consular certificate and bacteriological examination required*. No shaving brushes or lather brushes of foreign origin, imported or brought into the United States, shall be admitted to entry in the United States unless consignments thereof shall be accompanied by (a) a consular certificate containing a statement as to the prevalence or non-prevalence of anthrax in the territory from which the brushes emanate and also to the effect that the materials entering into the manufacture of the brushes have or have not complied with the requirements of these regulations, and (b) a certificate as hereinafter provided that the same are free from anthrax infection. Samples from each shipment of shaving brushes or lather brushes of foreign origin, in customs custody on the effective date of these regulations or thereafter imported or brought into the United States, shall be selected by the quarantine officer of the Public Health Service at the port of importation and subjected to bacteriological examination in a laboratory designated by such officer to determine their freedom from anthrax infection. If the quarantine officer shall determine from an examination of the samples so submitted that the shipment represented thereby is free from anthrax spores, he

shall issue to the collector of customs a certificate to that effect. If the quarantine officer shall determine from an examination of the samples so submitted that the shipment is infected with anthrax and shall so notify the collector of customs, or if the shipment is not accompanied by the consular certificate as required hereinabove, such shipment shall be prohibited entry into the United States, but may be exported or destroyed under customs supervision.

This paragraph shall be effective on and after the date of approval thereof. (Sec. 3, 27 Stat. 450; 42 U. S. C. 92)

[SEAL] STEPHEN B. GIBBONS,
Acting Secretary of the Treasury.
MARCH 16, 1939.

[F. R. Doc. 39-938; Filed, March 21, 1939;
10:32 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

INTERSTATE COMMERCE COMMISSION

[Order No. 24049]

A. JOHNSTON, GRAND CHIEF ENGINEER OF
THE BROTHERHOOD OF LOCOMOTIVE
ENGINEERS, ET AL.

V.

THE ATCHISON, TOPEKA & SANTA FE RAIL-
WAY COMPANY, ET AL.

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 18th day of March, A. D. 1939.

Upon further consideration of the record in the above-entitled proceeding and at the request of the above-named defendants, in order to provide opportunity for final disposition of the case in the United States District Court for the Northern District of Ohio involving the validity of our order of December 27, 1937,¹ herein, and to afford the above-named defendants ample opportunity to comply with said order:

It is ordered, That said order of December 27, 1937, be, and it is hereby, amended to read as follows:

"This case being at issue upon complaint and answers on file, and having been duly heard and submitted by the parties and full investigation of the matters and things involved having been had, and the Commission having on the date hereof, made and filed a report containing its findings of fact and conclusions thereon, which said report is hereby referred to and made a part hereof:

"It is ordered, That the rules and instructions for the inspection and testing of steam locomotives and tenders and their appurtenances, approved and established in accordance with the act of

¹ 2 F. R. 2984 (3450 DI).

February 17, 1911, as amended, be, and they are hereby, amended by the addition of a rule to be numbered 118 (c) which shall provide as follows:

"118 (c) *Mechanical stokers*.—All coal-burning steam locomotives which weigh on driving wheels 160,000 pounds or more to be used in fast or heavy passenger service, built on or after April 15, 1939, shall be equipped with a suitable type of mechanical stoker, and all coal-burning steam locomotives which weigh on driving wheels 175,000 pounds or more to be used in fast or heavy freight service, built on or after April 15, 1939, shall be equipped with a suitable type of mechanical stoker and such stokers shall be properly maintained.

"Each railroad which operates coal-burning locomotives of the above weights shall file with the Chief Inspector of the Bureau of Locomotive Inspection as of April 15, 1939, a list of all hand-fired coal-burning locomotives of the above weights built prior to April 15, 1939, which will in the future be used in fast or heavy service on its line, and mechanical stokers will be applied each twelve-month period to not less than 20 percent of the total number so listed, and all locomotives included in said list shall be so equipped before April 15, 1944, and such stokers shall be properly maintained.

"And it is further ordered, That for the present this order shall not apply to deckless locomotives equipped with two cabs, which are generally known as the 'Mother Hubbard type,' built prior to April 15, 1939."

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 39-939; Filed, March 21, 1939;
11:06 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commis-
sion.

[Order No. 269]

AN ORDER DIRECTING THE SEVERAL DISTRICT BOARDS TO TAKE THE APPROPRIATE ACTION UPON THE REPORTS SUBMITTED TO THEM BY THEIR RESPECTIVE REPRESENTATIVES IN THE MATTER OF THE COORDINATION OF MINIMUM PRICES AND MARKETING RULES AND REGULATIONS, AND TO REPORT SAID ACTION TO THE COMMISSION, AS REQUIRED BY THE PROVISIONS OF RULE V OF SECTION 4 OF ORDERS NOS. 253 AND 259 AS AMENDED, AND AS INCORPORATED IN ORDER NO. 266

Pursuant to Act of Congress entitled "An Act to regulate interstate commerce in bituminous coal, and for other purposes" (Public, No. 48, 75th Cong., 1st

Sess.), known as the Bituminous Coal Act of 1937, the National Bituminous Coal Commission hereby orders and directs:

1. That the District Board for each of Districts Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22 and 23 shall, not later than the week commencing April 3, 1939, hold a meeting for the purpose of considering and acting upon the reports submitted by its representatives who met with the representatives of each other District at the coordination meetings held pursuant to the provisions of Orders Nos. 253, 254, 255, 256, 259, 260, 261, 264, and 266,¹ which meetings were concluded on the 15th day of March, 1939, and which reports of said representatives were heretofore directed to be filed with the Commission and with the respective District Boards not later than the 17th day of March, 1939.

2. That at said meeting the District Board shall fully consider said reports of its representatives and shall, by appropriate resolution of the Board, approve and adopt, or modify and adopt, or disapprove same, and shall report the action so taken to the Commission, by proper certification of the resolutions adopted, not later than the 10th day of April, 1939.

3. That said reports to the Commission shall contain copies of all coordination agreements made and entered into with any and all other District Boards, together with the data upon which such coordinated minimum prices and marketing rules and regulations are predicated as provided by Section 4, Part II, (b) of the Act.

4. That the Secretary of the Commission be and he is hereby directed to cause a copy of this Order to be published forthwith in the FEDERAL REGISTER and shall cause a copy hereof to be mailed to each code member, to the Consumers' Counsel and to the Secretary of each District Board, and shall cause copies hereof to be made available for inspection by interested parties in each of the Statistical Bureaus of the Commission.

By order of the Commission.

Dated this 20th day of March 1939.

[SEAL] F. WITCHER McCULLOUGH,
Secretary.

[F. R. Doc. 39-944; Filed, March 21, 1939;
12:34 p. m.]

SECURITIES AND EXCHANGE COM- MISSION.

United States of America—Before the
Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 20th day of March, A. D. 1939.

¹ 3 F. R. 2998, 3059, 3127, 3128 DI; 4 F. R. 261, 262, 945, 1010, 1087 DI.

[File No. 43-186]

IN THE MATTER OF UNITED CITIES UTILITIES
COMPANY

NOTICE OF AND ORDER FOR HEARING

A declaration pursuant to section 7 of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter be held on April 13, 1939, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before April 7th, 1939.

The matter concerned herewith is in regard to the proposed sale by declarant, a registered holding company, of \$94,500 in principal amount of First Mortgage 5% Bonds, due 1956, issued by declarant's subsidiary, Southeastern Illinois Gas Company, and guaranteed by declarant at the time of their issuance. Declarant proposes to sell \$50,000 in principal amount of said bonds to Ray T. Haas, a security dealer of 231 South La Salle Street, Chicago, Illinois, pursuant to an option given Haas to purchase the following amounts at the indicated prices:

\$5,000 at 64% of principal amount plus accrued interest.
\$10,000 at 67% of principal amount plus accrued interest.
\$10,000 at 69½% of principal amount plus accrued interest.
\$10,000 at 72% of principal amount plus accrued interest.
\$10,000 at 74½% of principal amount plus accrued interest.
\$5,000 at 77% of principal amount plus accrued interest.

No. 55—2

The balance is proposed to be sold to as yet undetermined purchasers at not less than 77% of the principal amounts plus accrued interest. Declarant states that during the calendar year 1939 an amount of bonds will be sold so as to realize not in excess of a total of \$50,000 in proceeds to declarant, the balance to be sold in 1940.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.[F. R. Doc. 39-941; Filed, March 21, 1939;
11:14 a. m.]*United States of America—Before the
Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 20th day of March, A. D. 1939.

[File No. 54-11]

IN THE MATTER OF REDFIELD PROCTOR, C.
BROOKS STEVENS AND HENRY G. WELLS,
TRUSTEES

NOTICE OF AND ORDER FOR HEARING

An application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named parties;

It is ordered, That a hearing on such matter be held on April 6, 1939, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That, Charles S. Moore, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before April 1, 1939.

The matter concerned herewith is in regard to the request of the applicants for an order approving a Plan filed pursuant to Section 11 (e) of the Act which

Plan provides for the sale or other disposition of the Securities constituting the trust estate held by them under an Agreement of Trust dated January 31, 1939, between said applicants, International Paper and Power Company and International Paper Company.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.[F. R. Doc. 39-940; Filed, March 21, 1939;
11:14 a. m.]*United States of America—Before the
Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of March, A. D. 1939.

[File Nos. 32-137, 56-25]

IN THE MATTER OF NEWPORT ELECTRIC
CORPORATION AND CHARLES TRUE ADAMS,
TRUSTEE OF THE ESTATE OF UTILITIES
POWER & LIGHT CORPORATION, DEBTOR

NOTICE OF AND ORDER FOR HEARING

Newport Electric Corporation, a subsidiary of Utilities Power & Light Corporation, a registered holding company, having filed an application and declaration pursuant to Sections 6 (b) and 7 of the Public Utility Holding Company Act of 1935 for approval of the issue and sale of an additional \$304,000 principal amount of Four and One-Half Percent Fifty Year Gold Mortgage Bonds due July 1, 1954 of Newport and Fall River Street Railway Company (now Newport Electric Corporation), and for the approval of an exchange of the presently outstanding 11,910 shares of common stock of the par value of \$100 per share, all of which is owned by Utilities Power & Light Corporation, for 59,550 shares of new common stock, par value of \$20 per share;

Charles True Adams, Trustee of the Estate of Utilities Power & Light Corporation, a registered holding company, having filed an application pursuant to Rule U-12D-1 for approval of the sale of 59,550 shares of common stock of the par value of \$20 per share of the Newport Electric Corporation; and

It appearing to this commission that these matters are related and should be heard and considered together;

It is ordered, That said matters be consolidated for purposes of hearing and that a hearing on such matters be held on April 3, 1939, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Edward C. Johnson or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under

the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarants or applicants and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any

person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before March 30, 1939.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-946; Filed, March 21, 1939;
12:36 p. m.]